

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed September 10, 2007. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Drawings Objections**

The drawings have been objected to under 37 C.F.R. § 1.121(d) for not having labels. Applicant notes, however, that the only explanation cited for the objections is that the drawings “are without labels.” As this is not the case (each figure is labeled and further comprises labeled blocks), Applicant does not understand the basis for the objections. Applicant therefore requests clarification as to the reason for the objections.

### **II. Claim Rejections - 35 U.S.C. § 112, Second Paragraph**

Claim 2 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

In view of the rejection, Applicant has amended claims 2 and 3 to remove any potential confusion as to whether those claims introduce a further “dedicated preview image sensor”. It is respectfully submitted that Applicant’s claims define the invention in the manner required by 35 U.S.C. § 112. Accordingly, Applicant respectfully requests that the rejections to those claims be withdrawn.

### **III. Claim Rejections - 35 U.S.C. § 102(e)**

Claims 8, 13, 14, 27, 31, 33, and 34 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Kuan* (U.S. Pat. No. 2004/0233482). Applicant respectfully traverses.

As indicated above, Applicant has canceled claims 8-16 thereby rendering the rejection of claims 8, 13, and 14 moot. In addition, Applicant has amended independent claim 27. In view of that amendment, Applicant respectfully submits that the rejections to claims 27, 31, 33, and 34 are also moot.

Turning to the merits of claim 27, Applicant notes that *Kuan* does not teach an imaging device comprising a “dedicated preview scanning module comprising a first image sensor having a first resolution”, a “final scanning module comprising a second image sensor having a second resolution that is higher than the first resolution”, and an image processor that is configured “to perform a preview scan using the dedicated preview scanning module, to pre-process image data collected by the dedicated preview scanning module during the preview scan, to determine settings to be used to operate the final scanning module, and to perform the final scan using the final scanning module relative to the determined settings”. To the contrary, *Kuan* only anticipates the use of a single sensor. See *Kuan*, Figures 3, 5, and 8.

### **IV. Claim Rejections - 35 U.S.C. § 103(a)**

Claims 1-7, 9-12, 15-26, 28-30, and 32 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuan* in view of *Cardot* (U.S. Pat. No. 6,831,761). Applicant respectfully traverses.

As indicated above, Applicant has canceled claims 8-16 thereby rendering the rejection of claims 9-12, 15, and 16 moot. In addition, Applicant has amended each of independent claims 1, 17, and 27. In view of those amendments, Applicant respectfully submits that the rejections to claims 1-7, 17-26, 28-30, and 32 are also moot.

Regarding the merits of independent claim 1, neither Kuan nor Cardot teaches or suggests a method for scanning media comprising “preview scanning a platen using a dedicated preview image sensor”, “pre-processing image data obtained through the preview scanning”, and then “final scanning the media at a relatively high resolution using a high-resolution image sensor that is separate from the dedicated preview image sensor”. Regarding the Kuan reference, Kuan discloses both preview scanning and final scanning, although those scanning operations are performed using different light sources, not different light sensors.

Regarding the Cardot reference, Cardot does disclose the use of both a high resolution sensor and low resolution sensors. Applicant notes, however, that Cardot’s high resolution sensor is a grayscale sensor and Cardot’s low resolution sensors are color sensors, and that all sensors are used simultaneously during a final scan. Through such simultaneous scanning, a composite image is formed that is “of high subjective quality.” *Cardot*, column 2, lines 63-66. Therefore, Cardot cannot be said to disclose preview scanning with a low resolution sensor and then final scanning with a higher resolution sensor.

Turning to independent claim 17, the cited references do not teach or suggest an image processor that is “configured to perform a preview scan using the dedicated preview scanning module, to pre-process image data collected by the dedicated

preview scanning module during the preview scan, to determine settings to be used to operate the final scanning module during a final scan, and to perform the final scan using the final scanning module relative to the determined settings” for reasons stated above in relation to claim 1.

With regard to independent claim 27, the cited references do not teach or suggest an imaging device comprising “a dedicated preview scanning module comprising a first image sensor having a first resolution, a final scanning module comprising a second image sensor having a second resolution that is higher than the first resolution, and an image processor that is configured to perform a preview scan using the dedicated preview scanning module, to pre-process image data collected by the dedicated preview scanning module during the preview scan, to determine settings to be used to operate the final scanning module, and to perform the final scan using the final scanning module relative to the determined settings” for reasons described above in relation to claim 1.


## **V. Canceled Claims**

Claims 6 and 8-16 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

### **CONCLUSION**

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
\_\_\_\_\_  
David R. Risley  
Registration No. 39,345